

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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IN RE:

MICHAEL ARYEH
fka MICHAEL HAYMOV

kp/ca
May 8, 2025
11:00 AM

Case No. 823-73858-AST

Hon. ALAN S. TRUST

NOTICE OF MOTION

Debtor.

=====X

PLEASE TAKE NOTICE, that upon the within application, Krista M. Preuss, Chapter 13 Trustee will move this court before the Hon. Alan S. Trust, Chief U.S. Bankruptcy Judge, for the Eastern District of New York, on the 8th day of May, 2025 at 11:00 AM, or as soon thereafter as counsel can be heard, for an order pursuant to 11 U.S.C. 1307(c)(6) dismissing this Chapter 13 case and for such other and further relief as may seem just and proper.

Any hearing on the attached application will be held remotely, by telephone or video conference. No in-person hearing will be held in the Courthouse on the date set forth above.

Any party appearing must register at least two (2) business days in advance through eCourt Appearances at <https://ecf.nyeb.uscourts.gov/cgi-bin/nyebAppearances.pl>. Only parties registered in advance will receive login instructions. Additional information is provided in the Chief Judge's procedures at <https://www.nyeb.uscourts.gov/content/chief-judge-alan-s-trust>.

Responsive papers shall be filed with the bankruptcy court and served upon the Chapter 13 Trustee, Krista M. Preuss, Esq., no later than seven (7) days prior to the hearing date set forth above. Any responsive papers shall be in conformity with the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules for the Eastern District of New York, and indicate the entity submitting the response, the nature of the response and the basis of the response.

Date: Jericho, New York
April 21, 2025

/s/ Krista M. Preuss
Krista M. Preuss, Chapter 13 Trustee
100 Jericho Quadrangle - Suite 127
Jericho, NY 11753
(516) 622-1340

UNITED STATES BANKRUPTCY COURT
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MICHAEL ARYEH
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Hon. ALAN S. TRUST

APPLICATION

Debtor.

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TO THE HONORABLE ALAN S. TRUST, CHIEF U.S. BANKRUPTCY JUDGE:

KRISTA M. PREUSS, Chapter 13 Trustee in the above-captioned estate, respectfully represents the following:

1. The Debtor commenced this Chapter 13 case by filing a voluntary petition on October 17, 2023.

2. The current monthly plan payment amount is \$420.84. The total amount due under the plan, through and including April 2025 is \$7,575.12. To date, the Trustee has received \$6,312.60. Therefore, the Debtor has defaulted under the terms of the plan and is \$1,262.52 in arrears to the Trustee.

3. No prior application seeking the relief requested herein has been filed by the Chapter 13 Trustee.

4. The foregoing represents a material default by the Debtor with respect to the terms of the confirmed plan and constitutes cause to dismiss this Chapter 13 case within the meaning of 11 U.S.C. Section 1307(c)(6).

WHEREFORE, the Chapter 13 Trustee respectfully requests that this Court enter an order dismissing this Chapter 13 case and such other and further relief as may seem just and proper.

Date: Jericho, New York
April 21, 2025

/s/Krista M. Preuss
KRISTA M. PREUSS, TRUSTEE

PAYMENT ADDRESS ONLY:

Krista M. Preuss, TRUSTEE
PO BOX 2178
MEMPHIS, TN 38101-2178

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X Case No: 823-73858-AST
IN RE:

MICHAEL ARYEH
fka MICHAEL HAYMOV

CERTIFICATE OF NOTICE

Debtor.

-----X
I, Claudia Aufiero, declare under penalty that I have sent the attached documents to the below listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Notice by first class mail was sent to the following persons/entities:

MICHAEL ARYEH
537 ALBEMARLE ROAD
CEDARHURST, NY 11516

BMW FINANCIAL SERVICES NA, LLC,
C/O AIS PORTFOLIO SERVICES, LLC
4515 N SANTA FE AVE. DEPT. APS
OKLAHOMA CITY, OK 73118

Notice by electronic transmission generated by the ECF system to the following person/entities pursuant to Bankruptcy Rule 9036:

ERICA T. YITZHAK, ESQ.
erica@etylaw.com

Transmission times for electronic delivery are Eastern Time zone.

This April 21, 2025

/s/Claudia Aufiero
Claudia Aufiero, Paralegal
Office of the Standing Chapter 13 Trustee
Krista M. Preuss, Esq.
100 Jericho Quadrangle; Suite 127
Jericho, NY 11753
(516) 622-1340

CASE NO: 823-73858-AST
Hon. ALAN S. TRUST

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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IN RE:

MICHAEL ARYEH
fka MICHAEL HAYMOV

Debtor.

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NOTICE OF MOTION AND APPLICATION TO DISMISS CASE

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Krista M. Preuss, Trustee
100 Jericho Quadrangle - Suite 127
Jericho, NY 11753
(516) 622-1340

